

POLICE CONDUCT OVERSIGHT COMMISSION

Policy and Procedure Committee

Minutes

Regular Meeting April 26, 2016

Starting at 6:00 p.m.

350 Fifth Street, Room 241, Minneapolis, MN 55407

Committee Members Present: Amran Farah, Afsheen Foroozan, and Jennifer Singleton (Chair).

Committee Members Absent: None

Staff Present: Ryan Patrick - Police Conduct Operations Supervisor.

Chair Singleton called the meeting to order at 6:09 p.m.
A quorum of the Committee was present.

Singleton moved to adopt the meeting agenda.

Seconded.

No discussion. All-in-favor. None opposed.

The motion carried.

Singleton moved to approve the meeting minutes from March 22, 2016.

Seconded.

No discussion. All-in-favor. None opposed.

The motion carried.

PUBLIC COMMENT:

Kathy Czech:

- Sarah Abbot is available for consultation in starting the co-responder model and assisting the working group.
- The DOJ is also a good resource and other jurisdictions who have implemented similar programs have offered resources and assistance.

Foroozan - mentioned that the Committee has talked about adding the information that Kathy and William Czech has provided regarding the DOJ in citing the DOJ letter directly to bolster the co-responder model, then making a recommendation for an endorsement of the co-responder model.

With no further discussion on the matter, the Chair moved to the next item on the agenda.

ONGOING BUSINESS

Mental Health Response Study

The Chair opened the floor for discussion. The following is a list of speakers and an abstract of their individual comments:

Singleton - indicated that she would like this moved to the workgroup for recommendations and it would be nice to have the study approved so the MPD can work on the issue.

Patrick - stated that perhaps it would be helpful to bifurcate the study and send the recommendations to the MPD. He also indicated that the Commission can recommend that the MPD supports the workgroup. Additionally, the DOJ recommends in their letter regarding Portland that a specialized team needs to be developed. He also suggested that the Committee work with Commissioner Westphal, who has already done quite a bit of work on this particular project.

Foroozan - mentioned that Kathy and William Czech have submitted some relevant documents and suggested incorporating parts of it, specifically the DOJ letter regarding the city of Portland and specialized training, into the PCOC's letter acknowledging why the PCOC is making the recommendation. He also suggested conducting more analysis of additional policies to put in as a separate recommendation putting implementation to the working group creating a stronger recommendation rather than leaving matters up for interpretation.

Singleton - suggested changing the recommendation by removing the emphasis on work group and placing it on the co-responder model and perhaps splitting the workgroup formulation into a separate project.

Farah - suggested that instead of having a bullet point of something to consider it should be a recommendation

With no further discussion on the matter. The Chair moved to the next item on the agenda.

Review of the MPD Policy and Procedure Manual

The Chair addressed the Committee; the following were the main points from her update:

- The Commissioner, Commander Case, and Mr. Patrick met to look at the materials on a superficial level.
- After there is a good basis to work with, then sections will be selected to look at on a deeper level.

Pending Approval

- There was a motion for the Policy and Procedure Committee do develop methodology, but there has not been a formal method established thus far.
- Commander Case is on board with the project and once completed the Committee will move towards working on the discipline matrix.

With the conclusion of the update, the Chair opened the floor for discussion. The following is a list of speakers and an abstract of their individual comments:

Foroozan - asked if this involves moving through the manual line-by-line.

Farah - indicated that she would like to assist with the project, especially the discipline matrix.

Patrick - stated that there are several goals that go along with the project. On the superficial level, there is no uniformity with regard to formatting. The next goal is to distinguish what is actual policy and what are general statements, then section-by-section adding in discipline matrix material, and finally getting the full Commission involved and any additional stakeholders with an interest on policy change. He indicated that he will put together something more formal for the next Commission meeting and then move forward from there.

With no further discussion on the matter, the Chair moved to the next item on the agenda.

Framework for Chief's Performance Review

Commissioner Foroozan addressed the Committee; the following were the main points from his update:

- The Commissioner is looking at focusing on just the policy.
- The important aspect to this is the cooperation of the police department and would prefer to stay within the scope of PCOC activities.
- Thinking that at the end of every year do a quarter-by-quarter review of PCOC activities and accomplishments and create a summary of how the particular items were received by the MPD.
- In doing this the PCOC can distill the material down to create a good annual snapshot.

With the conclusion of Commissioner Foroozan's update, the Chair opened the floor for discussion. The following is a list of speakers and a brief abstract of their individual comments.

Patrick - asked for clarification with regard to cases and if this is in reference to revising the matrix.

Foroozan - stated that the CRA provided statistics and asked if the PCOC is the only group that deals with those particular numbers.

Pending Approval

Patrick - provided an explanation to the CRA's structure and review process.

Farah - suggested that the PCOC has access to those numbers and if the PCOC wants to provide a review of disciplinary record, it is possible to do that without going into the depth that the CRA did.

Singleton - asked what variables Commissioner Foroozan is looking at that are different than what the OPCR provides and stated that for the time being she would like to keep the review more nuanced.

Foroozan - stated that he was talking about removing analysis data and provide more public and PCOC perspective, using plain language and releasing the summary at the same time the PCOC releases the accomplishments for the year.

With no further discussion on the matter, the Chair moved to the next item on the agenda.

Issue Tracking Queue

Ryan Patrick, Police Conduct Operations Supervisor, addressed the Committee; the following were the main points from his update:

- Started work on the project but was unable to complete it, indicating that it will take a lot of work.
- There are some issues that are broad and paring them down into individual subjects is necessary.
- Started looking for issues to split off where policy is already recommended or the report completed.
- Started looking at cases and added related policy section, which may make it easier to tag relevant cases.

With the conclusion of the update from Mr. Patrick, the Commissioners engaged in a discussion regarding the reorganization of the queue categories. During the discussion, the categories that were reorganized included coaching, professionalism, cultural awareness, MVR procedures, ADA issues, off-duty employment issues, use-of-force, and complaint filing.

The Chair then opened the floor for general discussion; the following is a list of speakers and a brief abstract of their individual comments:

Singleton - indicated that a study that she is interested in pursuing involves barriers to complaint filing and complainant experiences. The Commissioner also indicated that there will be a report on smart guns about the various manufacturers.

Foroozan - asked if there are any examples of smart gun usage in the United States. He also asked about tracking of complaint filing experiences.

Pending Approval

Patrick - indicated that there is a database that tracks complaints at every stage of the process stating that he has never heard of a case being lost in the process.

With the conclusion of the discussion, the Chair moved to the next item on the agenda.

NEW BUSINESS

Body Camera Policy Statement

The Chair indicated that she had begun drafting the document to be on hand during the upcoming forum. The document provides a background of the policy and seven non-inclusions that the PCOC has identified in the MPD policy thus far. The Commissioner indicated that the portions of the statement that need development involve the purpose statement, which is where she would like a statement regarding the damage to the public's trust. With the conclusion of the introduction, the Chair opened the floor for discussion. The following is a list of speakers and a brief abstract of their individual statements:

Foroozan - indicated that he is in agreement with the background and suggested that between the recommendations to insert something regarding community reaction based on the draft policy, which has caused some concern on the part of the PCOC. Additionally, he also suggested that the PCOC invite the MPD to meet and discuss stating he found the lack of accountability with reporting revisions to the policy most disturbing.

Singleton - stated that as the PCOC went through the process of developing the policy she did not think that the MPD would take all of the recommendations, but thought there would at least be dialog between the two groups.

Farah - suggested that an extra line be added inviting the MPD to come to the forum and say their piece; also suggested that there be some piece of this that indicates agreement on the part of the full Commission.

Singleton - suggested also inviting Chief Harteau to integrate the recommendations into the draft policy. Also suggested that separate from recommendations, the MPD should state what their final recommendations are and make them very public, this item is not in our initial recommendations.

With the conclusion of the discussion the following motion was made by Chair Singleton:

Moved that the Policy and Procedure Committee recommends to the PCOC that the full Commission adopt the position statement regarding body worn camera policy as discussed.

Seconded.

Pending Approval

The Chair opened the floor for discussion. With no further discussion on the matter, the Chair called for a voice vote.

All-in-favor. None opposed.

The motion carried.

Adjournment

With all of the Committee's business concluded, the Chair entertained a motion:

Singleton moved to adjourn.

Seconded.

All-in-favor. None opposed.

The motion carried.

Chair Singleton adjourned the meeting at 7:54 p.m.